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SEAGATE TECHNOLOGY LLC
INTELLECTUAL PROPERTY DEPT. - COL2LGL
389 DISC DRIVE
LONGMONT CO 80503

In re Application of:

O'DAY, RICHARD F.

Serial No.: 10/735,971

Filed: Dec. 15, 2003

Docket: 3123-551 (16420-02103)

Title: METHOD FOR MAKING A DISC DRIVE

DECISION ON PETITION TO
REVIEW RESTRICTION
REQUIREMENT UNDER
37 CFR 1.144

This is a decision on the petition filed Nov. 3, 2006 to review the restriction requirement issued on Apr. 24, 2006. The petition is being considered pursuant to 37 CFR 1.181 and CFR 1.144 and no fee is required for the petition.

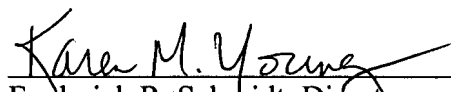
The petition is **GRANTED**.

In his Nov. 3, 2006 petition, the petitioner requests the examiner to withdraw the restriction requirement issued on Apr. 24, 2006 regarding combination and subcombination claims under MPEP 806.05(C) because the applicant believes that the claims are directed to the same invention, using language of varying breadth to describe the various features of the invention. The inventions of Groups I and II do not have a combination and subcombination relationship and do not represent recognized divergent subject matter. Therefore, the restriction requirement should not be maintained.

After consulting with the examiner, it was agreed that the restriction requirement would be withdrawn. An Office action on the merits including claims 22-28 was mailed on Jan. 24, 2007.

Any inquiry regarding this decision should be directed to Henry Yuen, Special Programs Examiner, at (571) 272-4856.

PETITION GRANTED

for 

Frederick R. Schmidt, Director
Technology Center 3700